

**UNITED STATES DISTRICT COURT**  
Western District of North Carolina

**UNITED STATES OF AMERICA**

**V.**

**TOMONTA SIMMONS**

) **JUDGMENT IN A CRIMINAL CASE**

) (For **Revocation** of Probation or Supervised Release)

) (For Offenses Committed On or After November 1, 1987)

)

) Case Number: DNCW314CR000017-013

) USM Number: 29349-058

)

) James Bradley Smith  
Defendant's Attorney

**Reason for Amendment:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Correction of Sentence on Remand (18 U.S.C. § 3742(f)(1) and (2)) | <input type="checkbox"/> Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e))   |
| <input type="checkbox"/> Reduction of Sentence for Changed Circumstances (Fed. R. Crim. P. 35(b))     | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1))                           |
| <input type="checkbox"/> Correction of Sentence by Sentencing Court (Fed. R. Crim. P. 35(a))          | <input type="checkbox"/> Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2))          |
| <input type="checkbox"/> Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36)            | <input type="checkbox"/> Direct Motion to District Court Pursuant<br><input type="checkbox"/> 28 U.S.C. § 2255 Or <input type="checkbox"/> 18 U.S.C. § 3559(c)(7) |
|   | <input type="checkbox"/> Modification of Restitution Order 18 U.S.C. § 3664   |

**THE DEFENDANT:**

- ☐ Admitted guilt to violation of condition(s) of the term of supervision.
- ☒ Was found in violation of condition(s) count(s) 1-5 after denial of guilt.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following violation(s):

Violation Number	Nature of Violation	Date Violation Concluded
1	Failure to Comply with Drug Testing/Treatment Requirements	12/23/2016
2	Associating with a Convicted Felon	12/25/2016
3	Associating with a Convicted Felon	02/12/2017
4	New Law Violation	02/12/2017
5	New Law Violation	02/12/2017

The Defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984, United States v. Booker, 125 S.Ct. 738 (2005), and 18 U.S.C. § 3553(a).

- ☐ The Defendant has not violated condition(s) and is discharged as such to such violation(s) condition.
- ☐ Violation(s) (is)(are) dismissed on the motion of the United States.

**IT IS ORDERED** that the Defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay monetary penalties, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 3/27/2019

Signed: April 24, 2019



Robert J. Conrad, Jr.  
United States District Judge



Defendant: Tomonta Simmons  
Case Number: DNCW314CR000017-013

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### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of THIRTY-SIX (36) MONTHS.

- ☐ The Court makes the following recommendations to the Bureau of Prisons:
- ☒ The Defendant is remanded to the custody of the United States Marshal.
- ☐ The Defendant shall surrender to the United States Marshal for this District:
- ☐ As notified by the United States Marshal.
- ☐ At \_ on \_.
- ☐ The Defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ As notified by the United States Marshal.
- ☐ Before 2 p.m. on \_.
- ☐ As notified by the Probation Office.

### RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_  
\_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By: \_\_\_\_\_  
Deputy Marshal